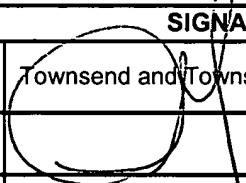
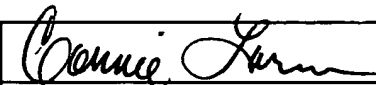


TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/529,109
	Filing Date	
	First Named Inventor	Merk, Robert
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	081249-000000US

ENCLOSURES <small>(Check all that apply)</small>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Request for Refund Copy of postcard
Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Darin J. Gibby		
Date	May 2, 2005	Reg. No.	38,464

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Typed or printed name	Connie Larson	Date	May 2, 2005

10047-47-1

04 MAY 2005

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Commissioner for Patents
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On May 2, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Connie Larson
Connie Larson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert Merk et al.

App. No.: 10/529,109

Mailing Date: March 24, 2005

For: TOOL FOR THE MECHANICAL
PROCESSING OF WORKPIECES

Examiner:

Art Unit:

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On March 24, 2005, Applicant paid the large entity national filing fee of \$1,000.00 as is evidenced by a copy of the postcard which carries a Patent Office date stamp of March 24, 2005.

The above-identified U.S. National Phase application inadvertently did not claim small entity status, although Applicants were entitled to it. It has recently been discovered that such small entity status failed to be established in error due to inadvertence and without

Robert Merk et al.
Application No.: 10/529,109
Page 2

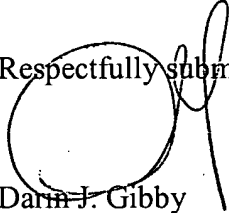
PATENT

deceptive intent. Therefore, Applicants respectfully request the refund payment be processed and that the error be excused.

Applicants hereby authorize the Commissioner to credit half the fee in the amount of \$500.00 to the undersigned's Deposit Account No. 20-1430. A copy of this document is enclosed.

If the Examiner believes a telephone conference would expedite the granting of the requested credit, please telephone the undersigned at 415.576.0200.

Respectfully submitted,



Darin J. Gibby
Reg. No. 38,242

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San Francisco, California 94111-3834
Tel: (303) 571-4000
Fax: (303) 571-4321
DJG/cl

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TO THE EDITOR

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1) U.S. National Phase Transmittal Letter
2) Published PCT Application
3) Unexecuted Declaration
4) Preliminary amendment
5) Information Disclosure Statement with copies of 2 foreign patent documents
6) English Translation of Application and Drawings